

Notice of Allowability

Application No.

09/929,277

Examiner

LINH BLACK

Applicant(s)

BENTLEY, KEITH

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/8/06.
2. ☒ The allowed claim(s) is/are 1-36, 117 and 118.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

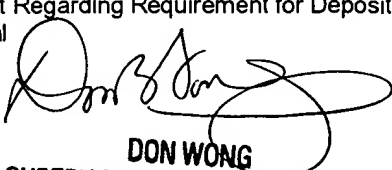
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Applicant's Representative: James R. Burdett on August 18, 2006.

The claim is amended as the following:

For the independent claim 1, on page 2 of the "claims" document dated 6/8/06, after the limitation: "storing at least one model in said root storage, the model including a model header stream,"

delete: "~~a model header stream,~~"

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach the limitations of independent claims 1, 19, and 117, particularly: "storing at least one model in said root storage, the model including a model header stream, the model header stream including at least one of a model name, units, or a geometric range for the model; storing a graphic element list and a control element list in said at least one model, said graphic element list including element chunks containing graphic elements having a physical representation and said control element list having element chunks containing control elements having no physical representation; assigning a pre-selected number of elements to each element chunk; and allocating each element to an element chunk in one of said control element list and said graphic element lists the element chunks being variable sized and having a unique name and a fixed header including: at least one of a number of elements in the element chunk, a compression scheme, or an encryption scheme for the elements" of claim 1, are not found in the prior art of record.

Forecast et al. (US 6230200) teach "dynamically modeling a configuration of data handling components in the file server and routings of data streams through the data handling components...the dynamic model is maintained in memory as a directed acyclic graph in which nodes represent the data handling components and edges represent data stream paths" – col. 2, lines 1-30; "CMFS (a Continuous Media File System) may be mounted on the root directory '/' as a stand-alone root file system" – col. 10, lines 35-55. Forecast et al. do not teach the combination of limitations shown above and in claims 19 and 117.

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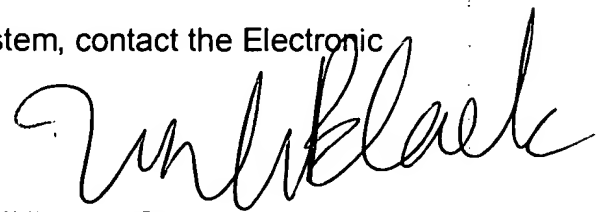
Dependent claims 2-18, 118, and 20-36 incorporate the listed limitations by reference and contain limitations that further distinguish over the art of record. For these reasons, claims 2-18, 118, and 20-36 are considered allowable over the art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


LINH BLACK
Examiner
Art Unit 2163

August 18, 2006


DON WONG
SUPERVISORY PATENT EXAMINER
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